

09/955,334  
Attorney Docket No. 011109

#10/dpm  
4-25-05  
W/D 8  
aband.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: Hiroshi KAWAI

Group Art Unit: 3724

Serial No.: 09/955,334

Examiner: Dexter, Clark F.

Filed: September 19, 2001

P.T.O. Confirmation No.: 9587

FOR: TURRET PUNCH PRESS

Customer No.: 38834

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 1.181(a)****Mail Stop Petitions**

Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 16, 2004

Sir:

On March 9, 2004, the Patent Office has issued a Notice of Abandonment indicating that the above-identified application is abandoned for "failure to timely file a proper reply to the Office letter mailed on 27 August, 2003" and "No reply has been received."

The Undersigned Attorney hereby declares that an Amendment prepared under 37 CFR 1.111 has been filed to the U.S. Patent & Trademark Office on November 21, 2003. In fact, the U.S. Patent & Trademark Office acknowledges receipt of the Amendment in a return postcard. A copy of the Amendment filed on November 21, 2003 and a copy of the postcard are enclosed herewith.

For the foregoing reasons, the Undersigned Attorney has indeed made a timely reply on November 21, 2003, and the timely reply was indeed received by the USPTO. It

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is apparent that the USPTO has since lost the filed Amendment, thus leading to the Notice of Abandonment mailed on March 9, 2004.

Therefore, the Undersigned Attorney respectfully requests under 37 CFR 1.181(a) and MPEP 711.03(c)(I) that the holding of abandonment be withdrawn.

Though it is clearly stated in MPEP 711.03(c)(I) that where an applicant contends that the application is not in fact abandoned, a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action and such petition does not require a fee, in case of oversight, the Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account Number 50-2866.

Respectfully submitted,



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MNL/asc

Enclosure: Amendment as filed on November 21, 2003  
A copy of postcard receipt dated November 21, 2003

Q:\2001\011109\011109 petition to withdraw holding of abandonment under 1.181(a).doc

U.S. Patent Application

Docket No: 011109

Serial No.: 09/955,334

Filed: September 19, 2001

Applicant: Hiroshi KAWAI

Papers filed herewith on: March 16, 2004

Other: Petition to Withdraw Holding of Abandonment under 1131(a)  
Amendment as filed on November 21, 2003  
Postcard Receipt dated November 21, 2003

COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated above,  
in connection with the above-identified case.

MNL/fasc



**FACSIMILE**

1250 Connecticut Avenue, NW – Suite 700  
Washington, DC 20036

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Date:	January 27, 2005
To:	Examiner Dexter, Clark F U.S. Patent and Trademark Office
Re:	U.S. Patent Application Serial No. 09/955,334 By: Hiroshi KAWAI et al. Title: Turret Punch Press <u>Our Reference: 011109</u>
Fax Number:	571-273-4505
Number of Pages:	12 (including cover sheet)
From:	Stephen G. Adrian
	SGA/arf

**PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES BEING SENT**

Attached is a copy of the Petition filed March 16, 2004 with date stamped postcard.

A handwritten signature in black ink, appearing to read "H. G. Adrian".  
Stephen G. Adrian

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